

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INTERVIEW SUMMARY AND RESPONSE TO EXAMINER'S INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

On October 30, 2008, a telephone interview was conducted in the above identified application between the undersigned (representing the Applicant) and Examiners Kevin C. Joyner and Sean Conley. During the interview the currently claimed invention was discussed and contrasted with the cited art (WO 00/74734 to Watling and U.S. Patent No. 6,630,105 to O'Neill). In particular, various arguments were presented and discussed as to why it would not have been obvious to modify Watling based on O'Neill. Specifically, differences between Watling and O'Neill were discussed that would preclude a finding of obviousness, such as that O'Neill teaches away from forming a condensate, O'Neill would not be able to provide a uniform decontamination on all of the surfaces within an enclosure, and that it would be extremely dangerous to place the O'Neill apparatus in a sealed enclosure. The Examiner stated that he was simply relying on O'Neill to show portability of a decontamination system and therefore the other differences were irrelevant. The undersigned countered that modifying

Watling by placing the decontamination apparatus directly into the enclosure is about much more than making the Watling apparatus portable and as such, simply asserting that the Watling apparatus could be portable would not read on the rejected claims. The Examiner said that he understood and agreed with our reasoning, but still maintained that O'Neill was sufficient to show obviousness of the rejected claims. The undersigned further argued that a reference as a whole must be considered, and, as a whole, the O'Neill reference teaches against combining with Watling. The Examiner was not convinced and no agreement was reached in the interview.

Applicant notes that an Interview Summary dated November 6, 2008 was prepared by the Examiner. While the Examiner's Interview Summary generally reflects what was discussed during the interview, Applicant disagrees with a statement contained in the Examiner's Interview Summary.

The Examiner's Interview Summary asserts that "The Applicant [i.e., the undersigned] then freely admitted that the structure of Watling in view of O'Neill would have been obvious to make portable..." The undersigned submits that this is an erroneous statement. While the undersigned admitted in the interview that O'Neill discloses a portable decontamination device of itself, the undersigned did not admit that the structure of Watling would have been obvious to make portable based on O'Neill. In fact, the undersigned presented arguments to the contrary, i.e., that it would not have been obvious to make the Watling apparatus portable, notwithstanding the teachings of O'Neill.

Dated this 1st day of December, 2008

Respectfully submitted,

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